



LOUISIANA DEPARTMENT OF AGRICULTURE & FORESTRY
MIKE STRAIN DVM
COMMISSIONER



STRUCTURAL PEST CONTROL COMMISSION
APRIL 22, 2009
VETERANS' MEMORIAL AUDITORIUM
5825 FLORIDA BLVD. BATON ROUGE, LA 70806
MINUTES

**Agricultural &
Environmental
Sciences**

P.O. Box 3596
Baton Rouge,
LA 70821
(225) 925-3770
Fax: 925-3760

**Agro-Consumer
Services**

P.O. Box 3098
Baton Rouge,
LA 70821
(225) 922-1341
Fax: 923-4877

**Animal Health
Services**

P.O. Box 1951
Baton Rouge,
LA 70821
(225) 925-3962
Fax: 925-4103

Forestry

P.O. Box 1628
Baton Rouge,
LA 70821
(225) 925-4500
Fax: 922-1356

**Management
& Finance**

P.O. Box 3481
Baton Rouge,
LA 70821
(225) 922-1255
Fax: 925-6012

Marketing

P.O. Box 3334
Baton Rouge,
LA 70821
(225) 922-1277
Fax: 922-1289

**Soil & Water
Conservation**

P.O. Box 3554
Baton Rouge,
LA 70821
(225) 922-1269
Fax: 922-2577

CALL TO ORDER

The meeting was called to order by Mr. Bass at 9:00 am. Mr. Bass asked Fran McVea to lead the group in prayer and the pledge of allegiance.

ROLL CALL

Ms. Anderson called the roll.

Members present: Fred Bass, Todd Parker, Bob Kunst, Dan Foster and Dr. David Boethel.

Others present: David Fields, LDAF, Larry LeJeune, LDAF, Bobby Simoneaux, LDAF, Mary Anderson, LDAF, Tyrone Dudley, LDAF, Brady Purpera, LDAF, Marvin Montgomery, LDAF General Counsel, and Lindsey Hunter, Assistant Attorney General

AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

APPROVAL OF THE MINUTES

Motion: Mr. Foster made a motion to approve the minutes from January 22, 2009. This motion was seconded by Mr. Kunst and passed unanimously.

TRAVEL EXPENSE REPORTS

Mr. Bass asked that all Travel Expense Reports be turned into Ms. Anderson.

CITIZEN COMMENT

There was no one that wished to address the commission.

LDAF REPORTS

Mr. Tyrone Dudley gave a presentation on the pathway of the inspection file.

OLD BUSINESS

Ship Fumigation – Mr. Purpera said he was unable to locate any training outside of a company. Mr. Kunst asked the commission to rethink the process to make sure individuals have proper training.

The staff reported that the amended rules regarding new construction, termite contract and WDIR fees, and powder post beetles will be mailed out to all licensees along with a notice for the Public Hearing to be held on May 27, 2009 at 9:00 am.

NEW BUSINESS

Terminix WDIR

Motion: Mr. Kunst made a motion to refer the Terminix WDIR to the Contract Review Committee. This motion was seconded by Dr. Boethel and passed unanimously.

Mr. Kunst reported on case arguments of a court case about renewal contracts. This was for information purposes only.



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LPMA – Jeff Porter

Mr. Porter introduced the President of Louisiana Pest Management Association, Mr. Daniel Bourgeois to the group. Mr. Porter informed the commission on the upcoming LPMA Summer Convention to be held in Marksville, July 14 – 16, 2009 and the Summer Institute that will begin July 20, 2009.

LABEL REQUEST FOR APPROVAL

Termimesh – Termistop – Glen Bjornass, National Sales Manager, gave a presentation on Termimesh.

Mr. Kunst asked the staff to bring recommendations of the legality of regulation of this type of product. Mr. Simoneaux said that the staff will work with Mr. Bjornass to set up EUP.

ADJUDICATORY HEARING

Mr. Bass turned the meeting over to Ms. Lindsey Hunter, Assistant Attorney General.

Don Maille Case No. 1255 – Mr. Maille stipulated to two violations and a fine of \$700. Mr. Fields read the stipulation.

Motion: Mr. Foster made a motion to accept the stipulation as read. This motion was seconded by Dr. Boethel and passed unanimously.

Mitchel Jones Case No. 1265 – Mr. Jones stipulated to 13 violations, a fine of \$2600 and an audit of his records and agreement to pay any fees owed. Mr. Fields read the stipulation.

Motion: Mr. Foster made a motion to accept the stipulation as read. This motion was seconded by Dr. Boethel and passed unanimously.

Benny Plumley Case No. 1266 – Mr. Plumley stipulated to 1 violation and a fine of \$200. The stipulation was read by Mr. Fields.

Motion: Mr. Foster made a motion to accept the stipulation as read. This motion was seconded by Mr. Kunst and passed unanimously.

Alvin J. Mallery Case No. 1280 – Mr. Mallery stipulated to one violation and a fine of \$200. Mr. Fields read the stipulation.

Motion: Mr. Kunst made a motion to accept the stipulation as read. This motion was seconded by Mr. Parker and passed unanimously.

Melvin Woods Case No. 1281 – Mr. Woods stipulated to four violations and a fine of \$800. Mr. Fields read the stipulation.

Motion: Dr. Boethel made a motion to accept the stipulation as read. This motion was seconded by Mr. Kunst and passed unanimously.

Allen Celestine Case No. 1282 – Mr. Celestine stipulated to five violations and a fine of \$1000. Mr. Fields read the stipulation.

Motion: Mr. Kunst made a motion to accept the stipulation as read. This motion was seconded by Dr. Boethel and passed unanimously.

Joseph A. Campbell Case No. 1279 – Ms. Hunter called for Mr. Campbell in the room and in the hallway. Mr. Campbell was not present. Mr. Montgomery presented Case No. 1279. Mr. Montgomery presented the case. Mr. Montgomery asked the commission to find Mr. Campbell in violation of all charges as stated in the Charge letter.

Motion: Mr. Kunst made a motion that the Finding of Fact and Conclusion of law be that Mr. Campbell is in violation of all charges. This motion was seconded by Mr. Parker and passed unanimously.



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Motion: Mr. Kunst made a motion to fine Mr. Campbell \$5,000 for each violation for a total of \$15,000. This motion was seconded by Mr. Foster and passed unanimously.

Ms. Hunter turned the meeting back to Mr. Bass

LICENSEE APPLICATIONS

NAME OF APPLICANT

Benny Attaway
Juan Crain
Derek George, Sr.
Donald Howard
Christopher Lanier
Forest Lemoine
Leslie Matherne
Anthony Mobley
Frank Lee Oby
Richard Quinn
Lisha Rabalais
Brian Robert
David Wilt
David Mougeot

PHASES APPROVED

Termite Control
Termite Control
General Pest Control, Comm. Vertebrate Control, Termite Control
General Pest Control
General Pest Control, Commercial Vertebrate Control
General Pest Control
General Pest Control
General Pest Control, Commercial Vertebrate Control
General Pest Control, Commercial Vertebrate Control
General Pest Control, Commercial Vertebrate Control
General Pest Control, Commercial Vertebrate Control
General Pest Control, Commercial Vertebrate Control
General Pest Control, Comm. Vertebrate Control, Termite Control
General Pest Control, Comm. Vertebrate Control

FINANCIAL STATEMENT AND STATUS REPORT

Mr. Fields gave the Commission the Financial Statement and the Status Report.

Mr. Kunst asked that year-to-date column be added to Status Report report.

OTHER BUSINESS

FUTURE MEETINGS

Mr. Fields gave a tentative date of July 1, 2009 for the next meeting and the Public Hearing scheduled for May 27, 2009 at 9:00 am.

ADJOURN

Motion: Mr. Parker made a motion to adjourn at 12:02. This motion was seconded by Dr. Boethel and passed unanimously.